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FILE NO.: 08589.0053

August 12, 2020

**By ECF**

The Honorable Steven M. Gold  
United States Magistrate Judge  
United States District Court  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Patel v. St. John's University*  
Docket No. 1:20-cv-2114

Dear Magistrate Judge Gold:

We represent defendant St. John's University ("STJ") in the referenced action. For the reason described below, we write to request that the Court adjourn the initial conference that is currently scheduled for August 18, 2020, at 11:00 a.m.

On July 17, 2020, STJ filed a letter pursuant to the Honorable LaShann DeArcy Hall's Individual Practice Rule III(A)(3-4) seeking permission to move to dismiss Plaintiff's original complaint on several grounds, including that the complaint failed to identify a contract on which Plaintiff's contract claim was based. In response, Plaintiff agreed to amend his complaint. Pursuant to Judge DeArcy Hall's July 28, 2020 Order, the last day for Plaintiff to serve his amended complaint is August 14, 2020. This is also the last day for the parties to submit the Initial Conference Questionnaire. While we anticipate that STJ will again seek to move to dismiss, we will be unable to discuss specific discovery issues and settlement until we have had the opportunity to review the amended complaint and discuss its allegations with our client. Plaintiff's counsel does not consent to this request, stating that STJ will have the amended complaint a few days before the initial hearing.

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STJ proposes the following adjournment dates for the initial conference: September 23, 24, 25, 28, and 30. These dates were selected because they are after September 14, 2020, which is STJ's last day to answer or otherwise respond to the amended complaint. This is the first request for an adjournment of the initial conference, and, other than the deadline to submit the Initial Conference Questionnaire, does not affect any other scheduled dates for this case.

Respectfully submitted,

*/s/ Michael J. Keane*

Michael J. Keane

cc: All parties via ECF

**GARFUNKEL WILD, P.C.**